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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant: Sandberg  
Serial No.: 09/580,156  
Filing Date: May 30, 2000  
Confirmation No.: 1346  
Examiner: Borin  
Art Unit: 1631  
Docket No: 25812-5CIP  
Title: ELASTIN PEPTIDE ANALOGS AND USES THEREOF

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this Communication and associated papers is being facsimile transmitted to  
Examiner Michael Borin at the United States Patent and Trademark Office

on July 28, 2004 to facsimile number. (703) 872-9306.  
Date

Christina R. Correll  
Signature

Christina R. Correll  
Typed or printed name of person signing Certificate

Associated Papers:

1. Communication (2 Sheets);
2. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent Application(2 Sheets);
3. Statement Under 37 CFR 3.73(b) (1 Sheet);
4. Fee Transmittal (1 Sheet); and
5. PTO 2038 Credit Card Authorization Form (1 Sheet).

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Sandberg	Examiner:	Borin
Serial No.:	09/580,156	Art Unit:	1631
Filing Date:	May 30, 2000	Docket No:	25812-5CIP
Confirmation No.:	1346		

Title: ELASTIN PEPTIDE ANALOGS AND USES THEREOF

VIA FACSIMILE TO EXAMINER BORIN

Fax No. (703) 872-9306

**COMMUNICATION**

Dear Sir:

As requested by Examiner Borin in a telephone conference on July 20, 2004, Applicant submits the following documents:

1. A Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent Application;
2. A Statement Under 37 CFR 3.73(b);
3. A Fee Transmittal indicating the proper fee; and
4. PTO Form 2038 – Credit Card Authorization Form.

07/29/2004 HTECKLU1 00000050 09580156

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In view of the papers submitted herewith, Applicant respectfully requests that the Office pass the above-identified application to allowance.

Respectfully submitted,

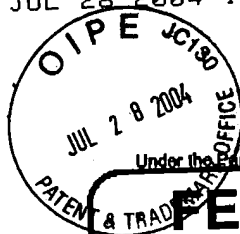
Dated: July 28, 2004

By:



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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0851-0032  
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# **FREE TRANSMITTAL** **for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$55.00)

**Complete if Known**

Application Number	09/580,156
Filing Date	05/30/2000
First Named Inventor	SANDBERG
Examiner Name	BORIN
Art Unit	1631
Attorney Docket No.	25812-5 CIP

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number  
Deposit Account Name

02-2051

Benesch, Friedlander...

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,620	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2462 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer fee

55.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$55.00)

(Complete if applicable)

<b>SUBMITTED BY</b>		<b>Registration No.</b>	<b>Telephone</b>
Name (Print/Type)	W. Scott Harders	42,629	216-363-4443
Signature	<i>W. Scott Harders</i>	Date	07/29/04

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.